

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Christopher Gerald Cherico

Docket No. 4:13-CR-29-1FL

Petition for Action on Supervised Release

COMES NOW Erik J. Graf, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Christopher Gerald Cherico, who upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute Oxycodone in violation of 21 U.S.C. 846 and 841(b)(1)(c), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on April 2, 2014, to the custody of the Bureau of Prisons for a term of 44 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Christopher Gerald Cherico was released from custody on November 27, 2015, at which time the term of supervised release commenced.

On November 21, 2016, Cherico was verbally reprimanded for incurring a charge of Driving While License Revoked.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On February 9, 2017, Cherico tested positive for cocaine and amphetamines. When confronted he admitted to using cocaine in reaction to dealing with stress. He acknowledged he dealt with his issues incorrectly and signed an admission form acknowledging use of drugs. Cherico is willing to receive substance abuse treatment. He is also in agreement to return to the Surprise Urinalysis Program and that he should be subjected to the DROPS program.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days;

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Erik J. Graf
U.S. Probation Officer
Wilmington, NC
Phone: 910-679-2031
Executed on: March 8, 2017

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ORDER OF THE COURT

Considered and ordered this 8th day of March, 2017, and ordered filed and made a part of the records in the above case.

Louise W. Flanagan
Louise W. Flanagan
U.S. District Judge